EXHIBIT 2

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15 *Counsel for Defendant Meta Platforms, Inc.*

16   **UNITED STATES DISTRICT COURT**

17   **NORTHERN DISTRICT OF CALIFORNIA**

18   **SAN FRANCISCO DIVISION**

19 RICHARD KADREY, *et al.*,   Case No. 3:23-cv-03417-VC

20 Individual and Representative

21   Plaintiffs,   **DEFENDANT META PLATFORMS, INC.'S SECOND AMENDED OBJECTIONS AND RESPONSES TO PLAINTIFFS' FIRST SET OF**
22   v.   **REQUESTS FOR ADMISSIONS**

23 META PLATFORMS, INC., a Delaware
    corporation;
24
                         Defendant.
25

26

27

28

COOLEY LLP
ATTORNEYS AT LAW

                                                          **META'S 2ND AMENDED OBJ & RESPS
                                                          TO PLTF'S FIRST SET OF RFA'S
                                                          3:23-CV-03417-VC**

1   **REQUEST FOR ADMISSION NO. 9:**

2   Admit that You did not compensate Plaintiffs for the inclusion of the content of books they

3   authored in the Datasets used to train Llama Models.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, including its

6   own definitions stated therein, which are applicable to this Request. Meta objects to the term

7   "compensate" as vague and ambiguous. Meta will construe "compensate" to refer to financial

8   compensation. Meta objects to the Request as compound insofar as it seeks an admission as to

9   multiple datasets used to train Llama Models. Meta further objects on the ground that the term

10 "content of books they authored" is vague, ambiguous, indefinite, undefined, and overbroad in that

11 it is untethered to the allegedly copyright registered works at issue in this Action. Meta further

12 objects to this Request on the ground that information about who authored the books at issue in this

13 case is outside of Meta's possession, custody, or control. Even reviewing the copyright registration

14 or copyright notice in a book would not tell Meta who "authored" all or any part of the book,

15 because the information may be inaccurate. In this case, authorship is a disputed issue as to at least

16 one at-issue work. Moreover, even where a person is identified as the "author" of a book in a

17 copyright notice or registration, that authorship may not extend to all text in the book (by way of

18 example, content contributed by another author, or previously published or registered works

19 appearing in a collection or anthology, such as a collection of short stories, would not be authored

20 by the copyright holder and are not covered by any copyright in the book, whether registered or

21 not). For purposes of its response below, Meta construes the term "books they authored" as used

22 in this Request to refer to the at-issue books Plaintiffs claim in this case to have authored, without

23 admitting that any Plaintiff was, in fact, the author or owns a valid copyright in the book, and

24 without admitting what any copyright in the book may cover. Meta objects to this Request to the

25 extent it improperly suggests that Meta participated in the selection of the content of books or other

26 content to be included in the datasets used to train the Llama Models or that Meta was required to

27 compensate Plaintiffs to train the Llama Models on any unspecified content of books Plaintiffs

28 authored.

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

2   admits that it did not compensate Plaintiffs for the inclusion of the content of books they

3   purportedly authored in the Datasets used to train Llama Models, to the extent those Datasets

4   included the content of books they purportedly authored. Except as expressly admitted, Meta

5   denies the Request.

6   **REQUEST FOR ADMISSION NO. 10:**

7   Admit that You have made Llama 1 available for use by Third Parties.

8   **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

9   Meta incorporates by reference its Objections to Instructions and Definitions, including its

10   own definitions stated therein, which are applicable to this Request.

11   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

12   admits that it has made Llama 1 available for use by Third Parties under certain circumstances and

13   subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

14   **REQUEST FOR ADMISSION NO. 11:**

15   Admit that You have made Llama 2 available for use by Third Parties.

16   **RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

17   Meta incorporates by reference its Objections to Instructions and Definitions, including its

18   own definitions stated therein, which are applicable to this Request.

19   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

20   admits that it has made Llama 2 available for use by Third Parties under certain circumstances and

21   subject to certain terms and restrictions. Except as expressly admitted, Meta denies the Request.

22   **REQUEST FOR ADMISSION NO. 12:**

23   Admit that You have made Llama 3 available for use by Third Parties.

24   **RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

25   Meta incorporates by reference its Objections to Instructions and Definitions, including its

26   own definitions stated therein, which are applicable to this Request.

27   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

28   admits that it has made Llama 3 available for use by Third Parties under certain circumstances and

1   discovery in this case.

2   ***CONFIDENTIAL* AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

3   Meta incorporates by reference its Objections to Instructions and Definitions, including its

4   own definitions stated therein, which are applicable to this Request, including, in particular

5   Objection No. 4. Meta objects to this Request as improperly seeking discovery on discovery. Meta

6   further objects to this Request to the extent it seeks information that is not relevant to the claims or

7   defenses of any party.

8   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

9   admits that it has not disclosed all Datasets used to train all Llama 4 models because those models

10   remain in development and decisions concerning which Datasets to use for certain versions of the

11   model have not been finalized. Meta admits that it has not disclosed any Datasets used to train

12   Llama 5 because that model has not yet been trained and decisions concerning which Datasets to

13   use have not been made. Except as expressly admitted, Meta denies this Request.

14   **REQUEST FOR ADMISSION NO. 16:**

15   Admit that You used the Books3 database as a Dataset to train one or more Llama Models.

16   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

17   Meta incorporates by reference its Objections to Instructions and Definitions, including its

18   own definitions stated therein, which are applicable to this Request. Meta objects to the term

19   "Books3 database" as vague and ambiguous. Meta will construe "Books3 database" to mean the

20   third-party dataset commonly known as Books3. Meta further objects to this Request as compound.

21   Subject to and without waiving the foregoing objections, Meta responds as follows: Meta

22   admits that it has used most of the third-party dataset commonly known as Books3 as training data

23   to train one or more Llama Models. Except as expressly admitted, Meta denies this Request.

24   **REQUEST FOR ADMISSION NO. 17:**

25   Admit that the Books3 database contains copyrighted works.

26   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

27   Meta incorporates by reference its Objections to Instructions and Definitions, including its

28   own definitions stated therein, which are applicable to this Request. Meta objects to the term

1   **REQUEST FOR ADMISSION NO. 45:**

2   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Aloha from Hell*.

3   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 45:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

9   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

10   particular book, and would require Meta to conduct an analysis of a third party database that is

11   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

12   Request to the extent that it presumes that the referenced author in fact authored the referenced

13   work—information that is outside of Meta's possession, custody, or control.

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

15   on a reasonable investigation, Meta admits that substantially all of the text from a published and

16   commercially-available version of *Aloha from Hell* is included in the third party Books3

17   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

18   truth of this request, and on that basis denies it.

19   **REQUEST FOR ADMISSION NO. 46:**

20   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Everything*

21   *Box*.

22   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 46:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

28   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1   particular book, and would require Meta to conduct an analysis of a third party database that is

2   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

3   Request to the extent that it presumes that the referenced author in fact authored the referenced

4   work—information that is outside of Meta's possession, custody, or control.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

6   on a reasonable investigation, Meta admits that substantially all of the text from a published and

7   commercially-available version of *The Everything Box* is included in the third party Books3

8   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

9   truth of this request, and on that basis denies it..

10   **REQUEST FOR ADMISSION NO. 47:**

11   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Kill the Dead*.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 47:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

15   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

16   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

17   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

18   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

19   particular book, and would require Meta to conduct an analysis of a third party database that is

20   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

21   Request to the extent that it presumes that the referenced author in fact authored the referenced

22   work—information that is outside of Meta's possession, custody, or control.

23   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

24   on a reasonable investigation, Meta admits that substantially all of the text from a published and

25   commercially-available version of *Kill the Dead* is included in the third party Books3

26   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

27   truth of this request, and on that basis denies it.

28

COOLEY LLP
ATTORNEYS AT LAW

META'S 2ND AMENDED OBJ & RESPS
TO PLTF'S FIRST SET OF RFA'S
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1   **REQUEST FOR ADMISSION NO. 48:**

2   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Perdition*

3   *Score*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 48:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11 particular book, and would require Meta to conduct an analysis of a third party database that is

12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13 Request to the extent that it presumes that the referenced author in fact authored the referenced

14 work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16 on a reasonable investigation, Meta admits that substantially all of the text from a published and

17 commercially-available version of *The Perdition Score* is included in the third party Books3

18 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

19 truth of this request, and on that basis denies it.

20 **REQUEST FOR ADMISSION NO. 49:**

21   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *Sandman Slim*.

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 49:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

28 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1   particular book, and would require Meta to conduct an analysis of a third party database that is

2   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

3   Request to the extent that it presumes that the referenced author in fact authored the referenced

4   work—information that is outside of Meta's possession, custody, or control.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

6   on a reasonable investigation, Meta admits that substantially all of the text from a published and

7   commercially-available version of *Sandman Slim* is included in the third party Books3

8   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

9   truth of this request, and on that basis denies it.

10   **REQUEST FOR ADMISSION NO. 50:**

11   Admit that the Books3 database contains Plaintiff Richard Kadrey's work *The Wrong Dead*

12   *Guy*.

13   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 50:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

16   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

17   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

18   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

19   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

20   particular book, and would require Meta to conduct an analysis of a third party database that is

21   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

22   Request to the extent that it presumes that the referenced author in fact authored the referenced

23   work—information that is outside of Meta's possession, custody, or control.

24   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

25   on a reasonable investigation, Meta admits that substantially all of the text from a published and

26   commercially-available version of *The Wrong Dead Guy* is included in the third party Books3

27   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

28   truth of this request, and on that basis denies it.

1   **REQUEST FOR ADMISSION NO. 51:**

2   Admit that the Books3 database contains Plaintiff Sarah Silverman's work *The Bedwetter*.

3   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 51:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

9   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

10   particular book, and would require Meta to conduct an analysis of a third party database that is

11   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

12   Request to the extent that it presumes that the referenced author in fact authored the referenced

13   work—information that is outside of Meta's possession, custody, or control.

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

15   on a reasonable investigation, Meta admits that substantially all of the text from a published and

16   commercially-available version of *The Bedwetter* is included in the third party Books3

17   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

18   truth of this request, and on that basis denies it.

19   **REQUEST FOR ADMISSION NO. 52:**

20   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Ararat*.

21   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 52:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, which are

23   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

27   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

28   particular book, and would require Meta to conduct an analysis of a third party database that is

1   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

2   Request to the extent that it presumes that the referenced author in fact authored the referenced

3   work—information that is outside of Meta's possession, custody, or control.

4   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

5   on a reasonable investigation, Meta admits that substantially all of the text from a published and

6   commercially-available version of *Ararat* is included in the third party Books3 dataset. Except as

7   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

8   and on that basis denies it.

9   **REQUEST FOR ADMISSION NO. 53:**

10   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Dead*

11   *Ringers*.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 53:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

15   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

16   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

17   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

18   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

19   particular book, and would require Meta to conduct an analysis of a third party database that is

20   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

21   Request to the extent that it presumes that the referenced author in fact authored the referenced

22   work—information that is outside of Meta's possession, custody, or control.

23   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

24   on a reasonable investigation, Meta admits that substantially all of the text from a published and

25   commercially-available version of *Dead Ringers* is included in the third party Books3

26   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

27   truth of this request, and on that basis denies it.

28

1   **REQUEST FOR ADMISSION NO. 54:**

2   Admit that the Books3 database contains Plaintiff Christopher Golden's work *The Pandora*

3   *Room*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 54:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11 particular book, and would require Meta to conduct an analysis of a third party database that is

12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13 Request to the extent that it presumes that the referenced author in fact authored the referenced

14 work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16 on a reasonable investigation, Meta admits that substantially all of the text from a published and

17 commercially-available version of *The Pandora Room* is included in the third party Books3

18 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

19 truth of this request, and on that basis denies it.

20 **REQUEST FOR ADMISSION NO. 55:**

21   Admit that the Books3 database contains Plaintiff Christopher Golden's work *Snowblind*.

22 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 55:**

23   Meta incorporates by reference its Objections to Instructions and Definitions, which are

24 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

25 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

26 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

27 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

28 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

1   particular book, and would require Meta to conduct an analysis of a third party database that is

2   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

3   Request to the extent that it presumes that the referenced author in fact authored the referenced

4   work—information that is outside of Meta's possession, custody, or control.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

6   on a reasonable investigation, Meta admits that substantially all of the text from a published and

7   commercially-available version of *Snowblind* is included in the third party Books3 dataset. Except

8   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

9   request, and on that basis denies it.

10   **REQUEST FOR ADMISSION NO. 56:**

11   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Beautiful*

12   *Struggle*.

13   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 56:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

16   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

17   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

18   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

19   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

20   particular book, and would require Meta to conduct an analysis of a third party database that is

21   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

22   Request to the extent that it presumes that the referenced author in fact authored the referenced

23   work—information that is outside of Meta's possession, custody, or control.

24   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

25   on a reasonable investigation, Meta admits that substantially all of the text from a published and

26   commercially-available version of *The Beautiful Struggle* is included in the third party Books3

27   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

28   truth of this request, and on that basis denies it.

1   **REQUEST FOR ADMISSION NO. 57:**

2   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *The Water*

3   *Dancer*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 57:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11   particular book, and would require Meta to conduct an analysis of a third party database that is

12   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13   Request to the extent that it presumes that the referenced author in fact authored the referenced

14   work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16   on a reasonable investigation, Meta admits that substantially all of the text from a published and

17   commercially-available version of *The Water Dancer* is included in the third party Books3

18   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

19   truth of this request, and on that basis denies it.

20   **REQUEST FOR ADMISSION NO. 58:**

21   Admit that the Books3 database contains Plaintiff Ta-Nehisi Coates's work *We Were Eight*

22   *Years in Power*.

23   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 58:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

2   particular book, and would require Meta to conduct an analysis of a third party database that is

3   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

4   Request to the extent that it presumes that the referenced author in fact authored the referenced

5   work—information that is outside of Meta's possession, custody, or control.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

7   on a reasonable investigation, Meta admits that substantially all of the text from a published and

8   commercially-available version of *We Were Eight Years in Power* is included in the third party

9   Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief

10   as to the truth of this request, and on that basis denies it.

11   **REQUEST FOR ADMISSION NO. 59:**

12   Admit that the Books3 database contains Plaintiff Junot Díaz's work *The Brief Wondrous*

13   *Life of Oscar Wao*.

14   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 59:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, which are

16   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

17   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

18   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

19   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

20   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

21   particular book, and would require Meta to conduct an analysis of a third party database that is

22   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

23   Request to the extent that it presumes that the referenced author in fact authored the referenced

24   work—information that is outside of Meta's possession, custody, or control.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

26   on a reasonable investigation, Meta admits that substantially all of the text from a published and

27   commercially-available version of *The Brief Wondrous Life of Oscar Wao* is included in the third

28   party Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a

1   belief as to the truth of this request, and on that basis denies it.

2   **REQUEST FOR ADMISSION NO. 60:**

3   Admit that the Books3 database contains Plaintiff Junot Díaz's work *Drown*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 60:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11   particular book, and would require Meta to conduct an analysis of a third party database that is

12   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13   Request to the extent that it presumes that the referenced author in fact authored the referenced

14   work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16   on a reasonable investigation, Meta admits that substantially all of the text from a published and

17   commercially-available version of *Drown* is included in the third party Books3 dataset. Except as

18   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

19   and on that basis denies it.

20   **REQUEST FOR ADMISSION NO. 61:**

21   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The*

22   *Confessions of Max Tivoli*.

23   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 61:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

2   particular book, and would require Meta to conduct an analysis of a third party database that is

3   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

4   Request to the extent that it presumes that the referenced author in fact authored the referenced

5   work—information that is outside of Meta's possession, custody, or control.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

7   on a reasonable investigation, Meta admits that substantially all of the text from a published and

8   commercially-available version of *The Confessions of Max Tivoli* is included in the third party

9   Books3 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief

10   as to the truth of this request, and on that basis denies it.

11   **REQUEST FOR ADMISSION NO. 62:**

12   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *How It Was*

13   *For Me*.

14   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 62:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, which are

16   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

17   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

18   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

19   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

20   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

21   particular book, and would require Meta to conduct an analysis of a third party database that is

22   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

23   Request to the extent that it presumes that the referenced author in fact authored the referenced

24   work—information that is outside of Meta's possession, custody, or control.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

26   on a reasonable investigation, Meta admits that substantially all of the text from a published and

27   commercially-available version of *How It Was For Me* is included in the third party Books3

28   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

1   truth of this request, and on that basis denies it.

2   **REQUEST FOR ADMISSION NO. 63:**

3   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *Less*.

4   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 63:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11   particular book, and would require Meta to conduct an analysis of a third party database that is

12   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13   Request to the extent that it presumes that the referenced author in fact authored the referenced

14   work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16   on a reasonable investigation, Meta admits that substantially all of the text from a published and

17   commercially-available version of *Less* is included in the third party Books3 dataset. Except as

18   expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this request,

19   and on that basis denies it.

20   **REQUEST FOR ADMISSION NO. 64:**

21   Admit that the Books3 database contains Plaintiff Andrew Sean Greer's work *The Path of*

22   *Minor Planets*.

23   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 64:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

2   particular book, and would require Meta to conduct an analysis of a third party database that is

3   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

4   Request to the extent that it presumes that the referenced author in fact authored the referenced

5   work—information that is outside of Meta's possession, custody, or control.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

7   on a reasonable investigation, Meta admits that substantially all of the text from a published and

8   commercially-available version of *The Path of Minor Planets* is included in the third party Books3

9   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

10   truth of this request, and on that basis denies it.

11   **REQUEST FOR ADMISSION NO. 65:**

12   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Golden*

13   *Child*.

14   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 65:**

15   Meta incorporates by reference its Objections to Instructions and Definitions, which are

16   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

17   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

18   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

19   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

20   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

21   particular book, and would require Meta to conduct an analysis of a third party database that is

22   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

23   Request to the extent that it presumes that the referenced author in fact authored the referenced

24   work—information that is outside of Meta's possession, custody, or control.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

26   on a reasonable investigation, Meta admits that substantially all of the text from a published and

27   commercially-available version of *Golden Child* is included in the third party Books3

28   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

1 truth of this request, and on that basis denies it.

2 **REQUEST FOR ADMISSION NO. 66:**

3   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *M. Butterfly*.

4 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 66:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

7 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

8 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

9 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

10 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

11 particular book, and would require Meta to conduct an analysis of a third party database that is

12 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

13 Request to the extent that it presumes that the referenced author in fact authored the referenced

14 work—information that is outside of Meta's possession, custody, or control.

15   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

16 on a reasonable investigation, Meta admits that substantially all of the text from a published and

17 commercially-available version of *M. Butterfly* is included in the third party Books3

18 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

19 truth of this request, and on that basis denies it.

20 **REQUEST FOR ADMISSION NO. 67:**

21   Admit that the Books3 database contains Plaintiff David Henry Hwang's work *Trying to*

22 *Find Chinatown*.

23 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 67:**

24   Meta incorporates by reference its Objections to Instructions and Definitions, which are

25 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

26 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

27 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

28 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

1   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

2   particular book, and would require Meta to conduct an analysis of a third party database that is

3   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

4   Request to the extent that it presumes that the referenced author in fact authored the referenced

5   work—information that is outside of Meta's possession, custody, or control.

6   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

7   on a reasonable investigation, Meta admits that substantially all of the text from a published and

8   commercially-available version of *Trying to Find Chinatown* is included in the third party Books3

9   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

10 truth of this request, and on that basis denies it.

11 **REQUEST FOR ADMISSION NO. 68:**

12   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Sam the Cat*.

13 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 68:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

16 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

17 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

18 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

19 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

20 particular book, and would require Meta to conduct an analysis of a third party database that is

21 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

22 Request to the extent that it presumes that the referenced author in fact authored the referenced

23 work—information that is outside of Meta's possession, custody, or control.

24   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

25 on a reasonable investigation, Meta admits that substantially all of the text from a published and

26 commercially-available version of *Sam the Cat* is included in the third party Books3

27 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

28 truth of this request, and on that basis denies it.

1   **REQUEST FOR ADMISSION NO. 69:**

2   Admit that the Books3 database contains Plaintiff Matthew Klam's work *Who is Rich*?

3   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 69:**

4   Meta incorporates by reference its Objections to Instructions and Definitions, which are

5   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

6   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

7   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

8   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

9   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

10   particular book, and would require Meta to conduct an analysis of a third party database that is

11   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

12   Request to the extent that it presumes that the referenced author in fact authored the referenced

13   work—information that is outside of Meta's possession, custody, or control.

14   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

15   on a reasonable investigation, Meta admits that substantially all of the text from a published and

16   commercially-available version of *Who is Rich*? is included in the third party Books3

17   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

18   truth of this request, and on that basis denies it.

19   **REQUEST FOR ADMISSION NO. 70:**

20   Admit that the Books3 database contains Plaintiff Laura Lippman's work *After I'm Gone*.

21   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 70:**

22   Meta incorporates by reference its Objections to Instructions and Definitions, which are

23   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

24   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

25   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

26   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

27   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

28   particular book, and would require Meta to conduct an analysis of a third party database that is

1 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

2 Request to the extent that it presumes that the referenced author in fact authored the referenced

3 work—information that is outside of Meta's possession, custody, or control.

4   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

5 on a reasonable investigation, Meta admits that substantially all of the text from a published and

6 commercially-available version of *After I'm Gone* is included in the third party Books3

7 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

8 truth of this request, and on that basis denies it.

9 **REQUEST FOR ADMISSION NO. 71:**

10   Admit that the Books3 database contains Plaintiff Laura Lippman's work *In a Strange City*.

11 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 71:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18 particular book, and would require Meta to conduct an analysis of a third party database that is

19 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20 Request to the extent that it presumes that the referenced author in fact authored the referenced

21 work—information that is outside of Meta's possession, custody, or control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23 on a reasonable investigation, Meta admits that substantially all of the text from a published and

24 commercially-available version of *In a Strange City* is included in the third party Books3

25 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

26 truth of this request, and on that basis denies it.

27 **REQUEST FOR ADMISSION NO. 72:**

28   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Lady in the Lake*.

1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 72:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8   particular book, and would require Meta to conduct an analysis of a third party database that is

9   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10   Request to the extent that it presumes that the referenced author in fact authored the referenced

11   work—information that is outside of Meta's possession, custody, or control.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

13   on a reasonable investigation, Meta admits that substantially all of the text from a published and

14   commercially-available version of *Lady in the Lake* is included in the third party Books3

15   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

16   truth of this request, and on that basis denies it.

17   **REQUEST FOR ADMISSION NO. 73:**

18   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Sunburn*.

19   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 73:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

22   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

23   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

24   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

25   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

26   particular book, and would require Meta to conduct an analysis of a third party database that is

27   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

28   Request to the extent that it presumes that the referenced author in fact authored the referenced

1   work—information that is outside of Meta's possession, custody, or control.

2   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

3   on a reasonable investigation, Meta admits that substantially all of the text from a published and

4   commercially-available version of *Sunburn* is included in the third party Books3 dataset. Except

5   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

6   request, and on that basis denies it.

7   **REQUEST FOR ADMISSION NO. 74:**

8   Admit that the Books3 database contains Plaintiff Laura Lippman's work *What the Dead*

9   *Know*.

10 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 74:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

16 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

17 particular book, and would require Meta to conduct an analysis of a third party database that is

18 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

19 Request to the extent that it presumes that the referenced author in fact authored the referenced

20 work—information that is outside of Meta's possession, custody, or control.

21   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

22 on a reasonable investigation, Meta admits that substantially all of the text from a published and

23 commercially-available version of *What the Dead Know* is included in the third party Books3

24 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

25 truth of this request, and on that basis denies it.

26 **REQUEST FOR ADMISSION NO. 75:**

27   Admit that the Books3 database contains Plaintiff Laura Lippman's work *Wilde Lake*.

28

1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 75:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8   particular book, and would require Meta to conduct an analysis of a third party database that is

9   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10 Request to the extent that it presumes that the referenced author in fact authored the referenced

11 work—information that is outside of Meta's possession, custody, or control.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

13 on a reasonable investigation, Meta admits that substantially all of the text from a published and

14 commercially-available version of *Wilde Lake* is included in the third party Books3 dataset. Except

15 as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

16 request, and on that basis denies it.

17 **REQUEST FOR ADMISSION NO. 76:**

18   Admit that the Books3 database contains Plaintiff Rachel Louise Snyder's work *No Visible*

19 *Bruises: What We Don't Know About Domestic Violence Can Kill Us*.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 76:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27 particular book, and would require Meta to conduct an analysis of a third party database that is

28 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1   Request to the extent that it presumes that the referenced author in fact authored the referenced

2   work—information that is outside of Meta's possession, custody, or control.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

4   on a reasonable investigation, Meta admits that substantially all of the text from a published and

5   commercially-available version of *No Visible Bruises: What We Don't Know About Domestic*

6   *Violence Can Kill Us l* is included in the third party Books3 dataset. Except as expressly admitted,

7   Meta lacks information sufficient to form a belief as to the truth of this request, and on that basis

8   denies it.

9   **REQUEST FOR ADMISSION NO. 77:**

10   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Embraced*.

11   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 77:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18   particular book, and would require Meta to conduct an analysis of a third party database that is

19   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20   Request to the extent that it presumes that the referenced author in fact authored the referenced

21   work—information that is outside of Meta's possession, custody, or control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23   on a reasonable investigation, Meta admits that substantially all of the text from a published and

24   commercially-available version of *Embraced* is included in the third party Books3 dataset. Except

25   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

26   request, and on that basis denies it.

27   **REQUEST FOR ADMISSION NO. 78:**

28   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Unglued*.

1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 78:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8   particular book, and would require Meta to conduct an analysis of a third party database that is

9   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10   Request to the extent that it presumes that the referenced author in fact authored the referenced

11   work—information that is outside of Meta's possession, custody, or control.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

13   on a reasonable investigation, Meta admits that substantially all of the text from a published and

14   commercially-available version of *Unglued* is included in the third party Books3 dataset. Except

15   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

16   request, and on that basis denies it.

17   **REQUEST FOR ADMISSION NO. 79:**

18   Admit that the Books3 database contains Plaintiff Lysa TerKeurst's work *Made to Crave*

19   *Devotional*.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 79:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27   particular book, and would require Meta to conduct an analysis of a third party database that is

28   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

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1   Request to the extent that it presumes that the referenced author in fact authored the referenced

2   work—information that is outside of Meta's possession, custody, or control.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

4   on a reasonable investigation, Meta admits that substantially all of the text from a published and

5   commercially-available version of *Made to Crave Devotional* is included in the third party Books3

6   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

7   truth of this request, and on that basis denies it.

8   **REQUEST FOR ADMISSION NO. 80:**

9   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *After Tupac*

10   *& D Foster*.

11   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 80:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18   particular book, and would require Meta to conduct an analysis of a third party database that is

19   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20   Request to the extent that it presumes that the referenced author in fact authored the referenced

21   work—information that is outside of Meta's possession, custody, or control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23   on a reasonable investigation, Meta admits that substantially all of the text from a published and

24   commercially-available version of *After Tupac & D Foster* is included in the third party Books3

25   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

26   truth of this request, and on that basis denies it.

27   **REQUEST FOR ADMISSION NO. 81:**

28   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Another*

1 *Brooklyn*.

2 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 81:**

3   Meta incorporates by reference its Objections to Instructions and Definitions, which are

4 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

5 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

6 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

7 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

8 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

9 particular book, and would require Meta to conduct an analysis of a third party database that is

10 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

11 Request to the extent that it presumes that the referenced author in fact authored the referenced

12 work—information that is outside of Meta's possession, custody, or control.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

14 on a reasonable investigation, Meta admits that substantially all of the text from a published and

15 commercially-available version of *Another Brooklyn* is included in the third party Books3

16 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

17 truth of this request, and on that basis denies it.

18 **REQUEST FOR ADMISSION NO. 82:**

19   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Behind You*.

20 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 82:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27 particular book, and would require Meta to conduct an analysis of a third party database that is

28 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced

2 work—information that is outside of Meta's possession, custody, or control.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

4 on a reasonable investigation, Meta admits that substantially all of the text from a published and

5 commercially-available version of *Behind You* is included in the third party Books3 dataset. Except

6 as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

7 request, and on that basis denies it.

8 **REQUEST FOR ADMISSION NO. 83:**

9   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Beneath a*

10 *Meth Moon*.

11 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 83:**

12   Meta incorporates by reference its Objections to Instructions and Definitions, which are

13 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18 particular book, and would require Meta to conduct an analysis of a third party database that is

19 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20 Request to the extent that it presumes that the referenced author in fact authored the referenced

21 work—information that is outside of Meta's possession, custody, or control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23 on a reasonable investigation, Meta admits that substantially all of the text from a published and

24 commercially-available version of *Beneath a Meth Moon* is included in the third party Books3

25 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

26 truth of this request, and on that basis denies it.

27 **REQUEST FOR ADMISSION NO. 84:**

28   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Brown Girl*

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1   *Dreaming*.

2   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 84:**

3   Meta incorporates by reference its Objections to Instructions and Definitions, which are

4   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

5   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

6   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

7   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

8   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

9   particular book, and would require Meta to conduct an analysis of a third party database that is

10   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

11   Request to the extent that it presumes that the referenced author in fact authored the referenced

12   work—information that is outside of Meta's possession, custody, or control.

13   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

14   on a reasonable investigation, Meta admits that substantially all of the text from a published and

15   commercially-available version of *Brown Girl Dreaming* is included in the third party Books3

16   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

17   truth of this request, and on that basis denies it.

18   **REQUEST FOR ADMISSION NO. 85:**

19   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Feathers*.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 85:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27   particular book, and would require Meta to conduct an analysis of a third party database that is

28   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1   Request to the extent that it presumes that the referenced author in fact authored the referenced

2   work—information that is outside of Meta's possession, custody, or control.

3   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

4   on a reasonable investigation, Meta admits that substantially all of the text from a published and

5   commercially-available version of *Feathers* is included in the third party Books3 dataset. Except

6   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

7   request, and on that basis denies it.

8   **REQUEST FOR ADMISSION NO. 86:**

9   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Harbor Me*.

10   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 86:**

11   Meta incorporates by reference its Objections to Instructions and Definitions, which are

12   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

13   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

14   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

15   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

16   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

17   particular book, and would require Meta to conduct an analysis of a third party database that is

18   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

19   Request to the extent that it presumes that the referenced author in fact authored the referenced

20   work—information that is outside of Meta's possession, custody, or control.

21   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

22   on a reasonable investigation, Meta admits that substantially all of the text from a published and

23   commercially-available version of *Harbor Me* is included in the third party Books3 dataset. Except

24   as expressly admitted, Meta lacks information sufficient to form a belief as to the truth of this

25   request, and on that basis denies it.

26   **REQUEST FOR ADMISSION NO. 87:**

27   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *If You Come*

28   *Softly*.

1   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 87:**

2   Meta incorporates by reference its Objections to Instructions and Definitions, which are

3   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

4   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

5   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

6   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

7   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

8   particular book, and would require Meta to conduct an analysis of a third party database that is

9   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

10   Request to the extent that it presumes that the referenced author in fact authored the referenced

11   work—information that is outside of Meta's possession, custody, or control.

12   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

13   on a reasonable investigation, Meta admits that substantially all of the text from a published and

14   commercially-available version of *If You Come Softly* is included in the third party Books3

15   dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

16   truth of this request, and on that basis denies it.

17   **REQUEST FOR ADMISSION NO. 88:**

18   Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Miracle's*

19   *Boys*.

20   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 88:**

21   Meta incorporates by reference its Objections to Instructions and Definitions, which are

22   applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

23   unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

24   ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

25   commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

26   burdensome for Meta to determine whether the books3 dataset contains the entirety of any

27   particular book, and would require Meta to conduct an analysis of a third party database that is

28   equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

1 Request to the extent that it presumes that the referenced author in fact authored the referenced

2 work—information that is outside of Meta's possession, custody, or control.

3 Subject to and without waiving the foregoing objections, Meta responds as follows: Based

4 on a reasonable investigation, Meta admits that substantially all of the text from a published and

5 commercially-available version of *Miracle's Boys* is included in the third party Books3

6 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

7 truth of this request, and on that basis denies it..

8 **REQUEST FOR ADMISSION NO. 89:**

9 Admit that the Books3 database contains Plaintiff Jacqueline Woodson's work *Red at the*

10 *Bone*.

11 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 89:**

12 Meta incorporates by reference its Objections to Instructions and Definitions, which are

13 applicable to this Request. Meta objects to the term "contains" as vague and ambiguous and

14 unintelligible in the context of this RFA. Meta objects to the term "Books3 database" as vague and

15 ambiguous. Meta will construe this term to mean the third party dataset that Meta did not create,

16 commonly known as Books3. Meta further objects to this Request on the ground that it is unduly

17 burdensome for Meta to determine whether the books3 dataset contains the entirety of any

18 particular book, and would require Meta to conduct an analysis of a third party database that is

19 equally accessible to Plaintiffs for every word of any particular work. Meta further object to this

20 Request to the extent that it presumes that the referenced author in fact authored the referenced

21 work—information that is outside of Meta's possession, custody, or control.

22 Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23 on a reasonable investigation, Meta admits that substantially all of the text from a published and

24 commercially-available version of *Red at the Bone* is included in the third party Books3

25 dataset. Except as expressly admitted, Meta lacks information sufficient to form a belief as to the

26 truth of this request, and on that basis denies it.

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META'S 2ND AMENDED OBJ & RESPS
TO PLTF'S FIRST SET OF RFA'S
3:23-CV-03417-VC

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16 *Counsel for Defendant Meta Platforms, Inc.*

17   **UNITED STATES DISTRICT COURT**

18   **NORTHERN DISTRICT OF CALIFORNIA**

19   **SAN FRANCISCO DIVISION**

20 RICHARD KADREY, *et al.*,   Case No. 3:23-cv-03417-VC

21 Individual and Representative

22   Plaintiffs,   **DEFENDANT META PLATFORMS, INC.'S**
                                   SECOND AMENDED OBJECTIONS AND
23   v.   **RESPONSES TO PLAINTIFFS' SECOND SET OF**
                                   REQUESTS FOR ADMISSIONS
24 META PLATFORMS, INC., a Delaware
   corporation;
25
                   Defendant.
26

27

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COOLEY LLP
ATTORNEYS AT LAW   **META'S 2ND AMENDED OBJ & RESPS**
                                          TO PLTF'S SECOND SET OF RFA'S
                                          3:23-CV-03417-VC

1   **5.**   Meta objects to Instruction Nos. 8 and 9 as overbroad and unduly burdensome to the

2   extent that they purport to require more of Meta than any obligation imposed by law.

3   **6.**   Meta objects to Instruction 10 as overbroad and unduly burdensome to the extent

4   that it purports to require more of Meta than any obligation imposed by law. Meta also objects to

5   this instruction on the ground that it improperly demands narrative responses, which are the proper

6   subject not of requests for admissions but of interrogatories, and thereby seeks to circumvent the

7   interrogatory limit.

8   **III.   AMENDED OBJECTIONS AND RESPONSES TO INDIVIDUAL REQUESTS FOR ADMISSION**

9   **REQUEST FOR ADMISSION NO. 90:**

10   Admit that *Blood Oath* by Christopher Farnsworth was included in a dataset used to train

11   Your large language models.

12   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 90:**

13   Meta incorporates by reference its Objections to Instructions and Definitions, which are

14   applicable to this Request. Meta further objects to the term "large language models" as vague,

15   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

16   the needs of the case to the extent that it purports to include large language models ("LLMs") that

17   were not publicly released and/or were not trained on corpuses of text that allegedly include any of

18   Plaintiffs' allegedly copyrighted works. Meta construes the term "large language models" to mean

19   the models within the Llama family of LLMs that have been or are being developed by Meta,

20   namely, Llama 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

21   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

22   determine whether the datasets used to train Meta's large language models (as construed above)

23   contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

24   of a third party database that is equally accessible to Plaintiffs for every word of any particular

25   work. Meta further object to this Request to the extent that it presumes that the referenced author

26   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

27   control.

28

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**META'S 2ND AMENDED OBJ & RESPS
TO PLTF'S SECOND SET OF RFA'S
3:23-CV-03417-VC**

1   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

2 on a reasonable investigation, Meta admits that substantially all of the text from a published and

3 commercially-available version of *Blood Oath* is included in a dataset used to train Meta's large

4 language models, as that term is construed above.   Except as expressly admitted, Meta lacks

5 information sufficient to form a belief as to the truth of this request, and on that basis denies it.

6 **REQUEST FOR ADMISSION NO. 91:**

7   Admit that *The President's Vampire* by Christopher Farnsworth was included in a dataset

8 used to train Your large language models.

9 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 91:**

10   Meta incorporates by reference its Objections to Instructions and Definitions, which are

11 applicable to this Request. Meta further objects to the term "large language models" as vague,

12 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

13 the needs of the case to the extent that it purports to include large language models that were not

14 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

15 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

16 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

17 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

18   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

19 determine whether the datasets used to train Meta's large language models (as construed above)

20 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

21 of a third party database that is equally accessible to Plaintiffs for every word of any particular

22 work. Meta further object to this Request to the extent that it presumes that the referenced author

23 in fact authored the referenced work—information that is outside of Meta's possession, custody, or

24 control.

25   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

26 on a reasonable investigation, Meta admits that substantially all of the text from a published and

27 commercially-available version of *The President's Vampire* is included in a dataset used to train

28 Meta's large language models, as that term is construed above. Except as expressly admitted, Meta

META'S 2ND AMENDED OBJ & RESPS
TO PLTF'S SECOND SET OF RFA'S
3:23-CV-03417-VC

1 lacks information sufficient to form a belief as to the truth of this request, and on that basis denies

2 it.

3 **REQUEST FOR ADMISSION NO. 92:**

4   Admit that *Red, White, and Blood* by Christopher Farnsworth was included in a dataset used

5 to train Your large language models.

6 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 92:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8 applicable to this Request. Meta further objects to the term "large language models" as vague,

9 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

10 the needs of the case to the extent that it purports to include large language models that were not

11 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

12 allegedly copyrighted works. Meta construes "large language models" to mean the models within

13 the Llama family of LLMs that have been or are being developed by Meta, namely, Llama 1, Llama

14 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on the ground

15 that the referenced work, *Red, White, and Blood*, is not alleged to be at issue in this action.

16 **REQUEST FOR ADMISSION NO. 93:**

17   Admit that *The Burning Men: A Nathaniel Cade Story* by Christopher Farnsworth was

18 included in a dataset used to train Your large language models.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 93:**

20   Meta incorporates by reference its Objections to Instructions and Definitions, which are

21 applicable to this Request. Meta further objects to the term "large language models" as vague,

22 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

23 the needs of the case to the extent that it purports to include large language models that were not

24 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

25 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

26 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

27 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

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ATTORNEYS AT LAW

META'S 2ND AMENDED OBJ & RESPS
TO PLTF'S SECOND SET OF RFA'S
3:23-CV-03417-VC

1   the ground that the referenced work, *The Burning Men: A Nathaniel Cade Story* is not alleged to

2   be at issue in this action.

3   **REQUEST FOR ADMISSION NO. 94:**

4   Admit that *The Eternal World* by Christopher Farnsworth was included in a dataset used to

5   train Your large language models.

6   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 94:**

7   Meta incorporates by reference its Objections to Instructions and Definitions, which are

8   applicable to this Request. Meta further objects to the term "large language models" as vague,

9   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

10   the needs of the case to the extent that it purports to include large language models that were not

11   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

12   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

13   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

14   1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

15   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

16   determine whether the datasets used to train Meta's large language models (as construed above)

17   contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

18   of a third party database that is equally accessible to Plaintiffs for every word of any particular

19   work. Meta further object to this Request to the extent that it presumes that the referenced author

20   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

21   control.

22   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

23   on a reasonable investigation, Meta admits that substantially all of the text from a published and

24   commercially-available version of *The Eternal World* is included in a dataset used to train Meta's

25   large language models, as that term is construed above. Except as expressly admitted, Meta lacks

26   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

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1 **REQUEST FOR ADMISSION NO. 95:**

2   Admit that *Killfile* by Christopher Farnsworth was included in a dataset used to train Your

3 large language models.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 95:**

5   Meta incorporates by reference its Objections to Instructions and Definitions, which are

6 applicable to this Request. Meta further objects to the term "large language models" as vague,

7 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

8 the needs of the case to the extent that it purports to include large language models that were not

9 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

10 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

11 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

12 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

13 the ground that the referenced work, *Killfile*, is not alleged to be at issue in this action.

14 **REQUEST FOR ADMISSION NO. 96:**

15   Admit that *Flashmob* by Christopher Farnsworth was included in a dataset used to train

16 Your large language models.

17 **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 96:**

18   Meta incorporates by reference its Objections to Instructions and Definitions, which are

19 applicable to this Request. Meta further objects to the term "large language models" as vague,

20 ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

21 the needs of the case to the extent that it purports to include large language models that were not

22 publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

23 allegedly copyrighted works. Meta construes the term "large language models" to mean the models

24 within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

25 1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5.

26   Meta further objects to this Request on the ground that it is unduly burdensome for Meta to

27 determine whether the datasets used to train Meta's large language models (as construed above)

28 contain the entirety of the text of any particular book, and would require Meta to conduct an analysis

1   of a third party database that is equally accessible to Plaintiffs for every word of any particular

2   work. Meta further object to this Request to the extent that it presumes that the referenced author

3   in fact authored the referenced work—information that is outside of Meta's possession, custody, or

4   control.

5   Subject to and without waiving the foregoing objections, Meta responds as follows: Based

6   on a reasonable investigation, Meta admits that substantially all of the text from a published and

7   commercially-available version of *Flashmob* is included in a dataset used to train Meta's large

8   language models, as that term is construed above. Except as expressly admitted, Meta lacks

9   information sufficient to form a belief as to the truth of this request, and on that basis denies it.

10   **REQUEST FOR ADMISSION NO. 97:**

11   Admit that *Deep State: A Nathaniel Cade Story* by Christopher Farnsworth was included in

12   a dataset used to train Your large language models.

13   **RESPONSE TO REQUEST FOR ADMISSION NO. 97:**

14   Meta incorporates by reference its Objections to Instructions and Definitions, which are

15   applicable to this Request. Meta further objects to the term "large language models" as vague,

16   ambiguous, and undefined, as well as overbroad, and unduly burdensome, and disproportionate to

17   the needs of the case to the extent that it purports to include large language models that were not

18   publicly released and/or were not trained on corpuses of text that allegedly include any of Plaintiffs'

19   allegedly copyrighted works. Meta construes the term "large language models" to mean the models

20   within the Llama family of LLMs that have been or are being developed by Meta, namely, Llama

21   1, Llama 2, Code Llama, Llama 3, Llama 4, and Llama 5. Meta further objects to this Request on

22   the ground that the referenced work, *Deep State: A Nathaniel Cade Story*, is not alleged to be at

23   issue in this action.

24   **REQUEST FOR ADMISSION NO. 98:**

25   Admit that you used books sourced from Books3 to train one or more of your large language

26   models.

27   **AMENDED RESPONSE TO REQUEST FOR ADMISSION NO. 98:**

28   Meta incorporates by reference its Objections to Instructions and Definitions, which are

1 applicable to this Request. Meta objects to this Request and vague, ambiguous, and unintelligible,

2 as written. It is not clear to Meta what it means to use "books sourced from Books3." Meta further

3 objects to the term "large language models" as vague, ambiguous, and undefined, as well as

4 overbroad, and unduly burdensome, and disproportionate to the needs of the case to the extent that

5 it purports to include large language models that were not publicly released and/or were not trained

6 on corpuses of text that allegedly include any of Plaintiffs' allegedly copyrighted works. Meta

7 construes the term "large language models" to mean the models within the Llama family of LLMs

8 that have been or are being developed by Meta, namely, Llama 1, Llama 2, Code Llama, Llama 3,

9 Llama 4, and Llama 5.

10   Subject to and without waiving the foregoing objections, Meta responds as

11 follows: admitted.

12 Dated: January 17, 2025   COOLEY LLP

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14   By: */s/Judd Lauter*
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